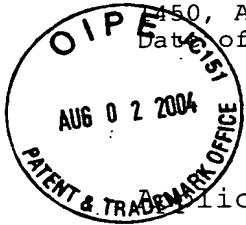


17W

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Signature and Deposit:

7/30/04 *J. S. R.*
John T. Pienkos, Reg. No. 42,997



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barry Gelernt
Application No.: 10/824,865
Filed: April 15, 2004
For: APPARATUS AND METHOD FOR OPTICAL
DATA STORAGE AND RETRIEVAL
Group Art Unit: 2878
Examiner: --
Atty. Docket No.: 112074.00004

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.97 AND 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being presented for filing in the above case pursuant to Rules 97 and 98 of the Rules of Practice. A Form "Information Disclosure Statement by Applicant" is attached which lists the references cited and copies of the references are enclosed.

No additional fees for filing this paper are believed to be due. However, the Commissioner is hereby authorized to charge any additional fees due or to credit any overpayment to deposit account no. 17-0055.

Respectfully submitted,

John T. Pienkos
Reg. No. 42,997
Quarles & Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202-4497
(414) 277-5777



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/824,865
Filing Date	April 15, 2004
First Named Inventor	Barry Gelernt
Art Unit	---
Examiner Name	---
Attorney Docket Number	112074.00004

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,638,201	01-25-1972	Borner	
		US- 4,122,551	10-24-1978	Urbach	
		US- 4,598,395	07-01-1986	Smith	
		US- 4,712,887	12-15-1987	Baer	
		US- 5,645,964	07-08-1997	Nohr et al.	
		US- 5,858,586	01-12-1999	Nohr et al.	
		US- 6,028,835	02-22-2000	Thomas	
		US- 6,243,348	06-05-2001	Goodberlet	
		US- 6,369,398	04-09-2002	Gelernt	
		US- 6,373,869	04-16-2002	Jacob	
		US- 6,525,868	02-25-2003	Merriam et al.	
		US- 6,529,463	03-04-2003	Goodberlet	
		US- 6,605,815	08-12-2003	Gelernt	
		US- 5,185,552	02-09-1993	Suzuki et al.	
		US- 4,091,290	05-23-1978	Bjorklund et al.	
		US- 4,128,772	12-05-1978	Chang et al.	
		US- 5,848,079	12-08-1998	Kortz et al.	
		US- 5,194,740	03-16-1993	Kogelschatz et al.	
		US- 5,499,282	03-12-1996	Silfvast	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 99/63536	12-09-1999	Massachusetts Institute of Tec		

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

5584417

+

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Filing Date	April 15, 2004
--------------------	----------------

Group Art Unit	---
----------------	-----

Examiner Name	--
---------------	----

Attorney Docket Number	112074.00004
------------------------	--------------

Sheet	2	of	3
-------	---	----	---

[illegible][illegible]Date
Considered

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

5589346

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/824,865		
		Filing Date	April 15, 2004		
		First Named Inventor	Barry Gelernt		
		Art Unit	---		
		Examiner Name	---		
Sheet	3	of	3	Attorney Docket Number	112074.00004

OTHER PRIOR ART–NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Hard Disk Recording Aims to Get Perpendicular," Peter Singer, Semiconductor International, September 2002, Volume 25, Number 10, pgs. 50-54.	
		"CD-ROM Technical Summary From Plastic Pits to "Fantasia," Andy Poggio, obtained at < http://pauillac.inria.fr/~lang/hotlist/cdrom/Documents/tech-summary.html >, printed 07/22/04, 7 pgs.	
		"Everything You Wanted To Know About DVD-R. (Technology Information)", Andy Parsons, Computer Technology Review, February 2000, pgs 1-3 and March 2000, pgs. 1-3, obtained at http://www.findarticles.com , printed 7/27/04.	
		"Quenching and Radiative Lifetimes for NH (b ¹ Σ ⁺ , v' = 0) , B. Gelernt et al., Chemical Physics Letters, Volume 36, number 2, Nov. 1, 1975, pgs. 238-241.	
		"New Bands In the ND (b ¹ Σ ⁺ , v' = 0) System; Spectroscopic Constants Of The b ¹ Σ ⁺ State", W. Cheung, B. Gelernt, and T. Carrington, Chemical Physics Letters, Volume 66, number 2, 10/1/1979, pgs. 287-290.	
		"Optical Data Storage", H. Coufal and G.W. Burr, International Trends in Applied Optics, ch. 26, 2002, pgs. 609-628.	
		"Blue Laser CD Technology", Robert L. Gunshor and Arto V. Nurmikko, Scientific American, July 1996, pgs. 48-51.	
		"121.6 nm radiation source for advanced lithography", Jianxun Yan et al., J. Vac. Science & Technology B, Microelectronics and Nanometer Structures, Volume 20, number 6, Nov/Dec 2002, pgs. 2574-2577.	
		"Prospects for photolithography at 121 nm", V. Liberman et al., J. Vac. Science & Technology B, Microelectronics and Nanometer Structures, Volume 20, number 6, Nov/Dec 2002, pgs. 2565-2573.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
 This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.